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November 15, 1993

Mr. John Podgurski, Chief
Connecticut Waste Regulation Section
U.S. Environmental Protection Agency
Region I
J.F. Kennedy Federal Building
Boston, Massachusetts 02203-2211

Re: Atlantic Wire Company, Branford, Connecticut
Corrective Action Ranking

Dear Mr. Podgurski:

On March 8, 1993, my client, Atlantic Wire Company ("Atlantic") received a letter from the Environmental Protection Agency ("EPA") concerning the Corrective Action program under the Resource Conservation and Recovery Act ("RCRA"). In that letter, Atlantic was informed that it has been ranked as a "High Significance Facility." This ranking is allegedly based upon information gathered during an inspection (preliminary assessment plus, or PA-plus) by Roy F. Weston, an EPA contractor, in June, 1992. This data was input into the National Corrective Action Prioritization System ("NCAPS"), which we understand is designed to assess a facility's potential for environmental harm based upon such factors as type and volumes of wastes present, contaminant release pathways (such as air, groundwater, surface water and soils), and potential for exposure to contaminants by humans and ecosystems. I am writing to provide you with additional information which may alter EPA's characterization of Atlantic as a High Significance Facility, because we believe this assessment to be incorrect.

As an initial matter, Atlantic would like to make it clear that its Branford facility is not a treatment, storage or disposal facility ("TSDF"). The Company protectively filed as a TSDF in 1981 and, like many other companies, has had a difficult time getting reclassified correctly as a hazardous waste generator. Because Atlantic is not a TSDF, therefore, its inclusion in the corrective action program is erroneous.

Since Atlantic Wire is actually a small quantity generator of hazardous waste, despite its TSDF classification, management of the company was somewhat perplexed why it was ranked as a high significance facility. Atlantic has operated for 87 years at this site, and while minor releases may have occurred, the Company has never had a spill event or engaged in a practice which could result in long-term environmental health concerns. Indeed, the Company has invested over one million dollars over the past twelve years in facility improvements and waste reduction measures such as a recrystallization system for acid recovery, improvements to the wastewater treatment system, and recirculation of non-contact cooling water. All of these improvements have actually reduced Atlantic's potential for harming the environment. Further, because Atlantic has never operated a storage area or SWMU, there are no persistent sources of contamination which could be present at the facility.

Nevertheless, the Company recently obtained a copy of the PA-plus upon which the NCAPS ranking was based, and was distressed to find numerous errors. It is possible that these errors played a role in Atlantic receiving the ranking it did. Obviously it is essential that EPA make its determination based upon accurate information. Therefore, this letter is intended to provide EPA with correct information regarding the Atlantic facility and operations.

Regarding the PA-plus, we have both general and specific comments. Generally, Atlantic disputes the Weston inspector's inaccurate conclusions that the areas of concern she identified represent a "high potential for release." The simple fact that wastes or chemicals are generated or placed in a location does not mean that there is a potential for release. Further, Atlantic objects to the inclusion of its wastewater discharges as a release of hazardous substances which may be subject to corrective action enforcement. In fact, most of the areas of concern noted by the inspector have little or nothing to do with hazardous waste at all. More specifically, there are many inaccuracies in the PA-plus report. These must be corrected before any meaningful analysis of Atlantic's operations and environmental impacts may be completed. For your convenience, I have attached a list of specific corrections to this letter as Attachment 1 rather than enumerate them here.

We request that the corrections noted in Attachment 1 be made and a revised NCAPS ranking be generated. Even now, changes to Atlantic's manufacturing processes and operations are reducing any potential for releases which may affect human health or the ecosystem. The Company would like to continue its work towards

that goal without the spectre of unnecessary corrective action enforcement in the future.

If you have any questions, or require any additional information, please do not hesitate to contact me. Thank you in advance for your assistance.

Very truly yours,

Gregory A. Sharp

Enclosure

cc: Robert J. Lawlor, President
Doug Zimmerman - DEP

ATTACHMENT 1

Page 3, ¶3: Atlantic does not store "used" wire coils. The coils observed in the yard are rod coils, and are raw materials.

¶4: 3,000 gallon caustic tank incorrect; should read 4,700 gallon caustic tank.

¶4: Atlantic discharges 100,000 gpd of treated wastewater, and is currently modifying the system to reduce the flow to 70,000 gpd.

¶7: Atlantic did not have three No. 2 oil tanks. It had one 10,000 gallon No. 2; one 10,000 gallon No. 6; and one 4,000 gallon tank which was empty.

Page 5, ¶2: Atlantic's propane tank has a capacity of 12,000 gallons, not 1,200 as the report states. Neither tank is located on the ground surface. The propone tank is mounted on a tank "saddle," and the nitrogen tank is located on a concrete pad. In addition, muriatic acid is stored in a polypropylene tank, rather than a steel tank as stated in the report.

Page 6, AOC[1] #1: Chemical and waste oil storage is on the first floor, not the second.

AOC #2: Small cleaning house was not constructed in 1906, but in the 1935.

AOC #3: As with #2 above, the Large Cleaning House was constructed in 1935, not in 1906. Atlantic disputes that there is any access to outside by which fluids may escape. The overhead door is not accessible to liquids from any potential spill. All spills would go into the treatment system.

AOC #5: Propane tank has a volume of 12,000 gallons. Neither tank is located directly on ground surface. See comments to page 5, ¶2.

Page 7, AOC #6: The report describes the building as wooden. It is not. The storage building is of metal construction.

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1 AOC = Area of Concern.

AOC #7: Description of area inaccurate. North of building is a grass strip, then Montowese Street; east and south of the building are dirt, and west of the building is paved.

AOC #8: Dispute that there is a high potential for release from waste treatment system. This system is completely enclosed, and has 10,000 gallons of emergency capacity.

AOC #10: Atlantic agrees that its empty tanker truck was parked on this area, but disputes any implication that sludge was ever left in the truck or stored at this location, for any period of time. Thus, Atlantic strongly disagrees with Weston's characterization of this area as a high potential for release.

Page 8, AOC #12: Atlantic did not have three #2 oil tanks. See comment to page 3, ¶7.

Page 9, ¶3: Is the report referring to sulfuric acid on line 2 when it lists hydrogen sulfate as a chemical? Atlantic is uncomfortable with the use of that nomenclature and prefers the more common terminology.

¶5: Last sentence mischaracterizes Atlantic's process. Atlantic dips wire in a solution of stannous sulfate or copper sulfate.

¶6: Raw materials are not stored on the second floor, but the first floor.

Page 10, ¶1: Atlantic's discharge rate is 100,000 gpd. Note with interest that the Weston inspector used a 1975 reference in estimating the company's flow rate.

¶1: On line 3, the capacity of the holding tank is incorrect. Atlantic has a 100,000 gallon holding tank in which it stores sludge, which is now processed using a filter press prior to shipment for disposal.

¶2: Atlantic objects to the implication that the sludge which tested high for pH was disposed of at the Branford Landfill in that condition or that the high pH was typical of sludge which Atlantic generates. This material is typically made pH neutral through acid addition before being sent off-site. Subsequent tests have demonstrated that

the sludge is not a characteristic hazardous waste.

Table 2: Atlantic objects to the table heading "Hazardous Waste" quantity. Only the waste mineral spirits are properly characterized as a hazardous waste.

Lime sludge is now generated at the rate of 5 drums/year due to modifications to the process.

Waste oil is no longer generated. Atlantic now uses a water soluble compound which is disposed of as non-hazardous waste. The volume is approximately 12 drums per year.

The volumetric estimate of ferrous sulfate generation is incorrect. Atlantic generates 875,000 lb/yr.

Atlantic no longer generates 1.3 million gallons of waste water sludge per year because it now has a filter press, which de-waters the sludge and thus reduces the volume of waste.

Page 11, ¶1: Atlantic objects to the implication that it has ever operated as a permitted storage facility. Atlantic incorrectly filed as a TSD in 1980, and has been trying to change this status to reflect reality for almost 10 years.

¶2: Phosphate and permangenate sludges are not drummed. These are collected in sludge dumpsters which are picked up by Royal Carting (note spelling). "Northeast Solvents" is actually Northeast Solvents Reclamation Corp. In February 1990, this entity hauled away 33 drums of waste machine oil, not the generic "waste oil" the report suggests.

Ferrous sulfate is sold to Waste Stream Environmental as a product, not a waste.

Page 12, Table 3: Atlantic objects to the heading "Atlantic Wire Spills" as long as the table includes discharges from the Company's NPDES outfall. If the term "Release" is used in place of spills, Atlantic has no objection to the title. However, Atlantic does object to the inclusion of any releases which are not "hazardous waste or constituents" from a SWMU. This precludes EPA from considering the NPDES discharge.

Page 13, ¶1: Atlantic objects to any references to its NPDES compliance history because that is irrelevant; all

outstanding violations have been addressed, and the Company has recently been issued a new NPDES permit. Further, aquatic toxicity monitoring has demonstrated that Atlantic's discharge is non-toxic.

Page 14, ¶3: Atlantic strongly disagrees that there are 3740 people served by private wells within four miles of the Company. Although Town records support the inspector's assertion, representatives from the South Central Regional Water Authority have informed us that the entire area is served by municipal water supply. Atlantic requests that EPA reverify its information regarding the water supply in Branford.

Page 15, Table 4: For the reasons noted above, Atlantic believes the information on this table to be inaccurate.

Page 17, ¶3: Atlantic employs 97 workers, not 676. Atlantic disputes that there are 48,372 residences within four miles of the facility. The Department of Economic Development ("DED") reports that the entire Town of Branford has only 13,056 residences and a population 27,603. Further, Atlantic objects to the implication that it could have any impact of a residence located four miles from its facility.

Page 18, ¶1: Atlantic has many operations, one of which is production of copper coated steel wire; this is only a small portion of the entire operation.

¶3: Atlantic's discharge is 100,000 gpd, but the company is in the process of installing a system for the recirculation of cooling water discharge which should reduce the flow even further.

¶4: Atlantic objects to use of the term hydrogen sulfate. Please use sulfuric acid.

¶5: Atlantic does not store drummed wastes in the basement.

¶6: Line 2, propane tank has a volume of 12,000 gpd. Line 3, sulfuric acid tank is 10,000 gallons. Line 5, caustic storage tank is 4,000 gallons. Line 6, there is no lamella clarifier tank, but there is a 10,000 gallon emergency tank.

¶7: Atlantic disputes that 3,740 people are served by private drinking wells. All residences in this area are connected to municipal water supply, according to the South Central Regional Water Authority. See response to Page 14, ¶3

Page 24: AOC Description: Storage area is located on the first floor.

Wastes Managed: Copper sulfate, stannous sulfate, permangenate, and muriatic acid are not wastes.

Page 25: AOC Description: Floor of small cleaning house is acid proof brick.

Release History: Atlantic disagrees that the floor is cracked and corroded.

Wastes Managed at AOC: Muriatic acid, potassium permangenate, solium hydroxide, copper, liquor, and lime are not wastes.

Page 26: AOC Description: Line 7, lime tank is 2,000 gallons, not 7,000. Line 9, floor is acid proof brick.

Release History: Overhead door is closed when not in use, and this is not a potential escape route, since liquids have no access to doorway.

Wastes Managed at AOC: Muriatic acid, potassium permangenate, solium hydroxide, copper, liquor, and lime are not wastes.

Page 28: AOC Description: Propane tank is 12,000 gallons, not 1,200.

Release Controls: Propane tank is mounted on a tank saddle, not on ground.

Wastes Managed at AOC: Nitrogen and propane are not wastes.

Page 29: Wastes Managed at AOC: Ferrous sulfate crystals are a product, not a waste.

Page 30: AOC Description: Line 2, area west of the building is paved. Line 5, sulfuric acid tank is 10,000 gallons, not 1,200.

Wastes Managed at AOC: Line 1, propane tank is 12,000 gallons. Line 2, sulfuric acid tank is 10,000 gallons. None of these materials are waste.

Page 31: AOC Description: Line 3, pH automatic shut-off activates at a pH of 8.9, not 9.2.

Wastes Managed at AOC: B-8 liquid, caustic soda, and anionic polymer are not wastes.

Page 32: AOC Description: Line 6, Atlantic discharges 100,000 gallons per day, not 317,000 gpd. See response to Page 18, ¶3

Page 33: Wastes Managed at AOC: No wastewater treatment sludge has ever been stored at this location.

Page 34: AOC Status: No evidence of release to soil, but to storm drain.

Page 35: AOC Description: There are not 3 No. 2 fuel oil tanks; there was one No. 2 fuel oil, one No. 6 fuel oil, and one empty 4,000 gallon tank.

Page 36: Wastes Managed at AOC: Virgin muriatic and sulfuric acid are not wastes.

Page 37: Wastes Managed at AOC: Recovered sulfuric acid not a waste. Muriatic acid is not recovered.